

CUSTOMER NO.: 24498

PATENT
PA030018Remarks/Arguments

In the non-final Office Action dated October 3, 2007, it is noted that claims 1-9 are pending; that objections have been raised to the dependencies of claims 8 and 9; that claims 1-9 stand rejected under 35 U.S.C. §103; and that the drawings submitted on February 2, 2006 have been accepted.

By this response, claims 1, 8 and 9 have been amended to make an editorial change (claim 1) and to clarify one or more aspects of the present invention. No new matter has been added.

Objection to the Claims

Claims 8 and 9 have been objected to as having improper dependencies. In view of the amendments above, the grounds for this objection are believed to have been obviated.

Claim 8 has been amended to be in independent form including the elements substantially as found in claim 1. Claim 9 has been amended to change the conditions found at the end of the claim into a Markush group.

The amendments to the claims are believed to be proper and justified. All the pending claims are believed to be supported by the original application. No new matter has been added to the claims. Withdrawal of the objection is respectfully requested.

Rejection of Claims 1-9 under 35 U.S.C. §103

Claims 1-9 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent 6,516,337 to Tripp (hereinafter "Tripp") in view of U.S. Patent Application Publication No. 20030135464 to Mourad (hereinafter "Mourad"). This rejection is respectfully traversed.

Claim 1 is an independent method claim from which claims 2-7 depend directly. Claim 8 is an independent apparatus claim from which claim 9 depends directly. Claim 8 includes limitations similar to those found in claim 1. In the interest of brevity, the remarks below will be addressed to the limitations in claim 1, but will be understood to apply with equal weight to claim 8 as well.

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Independent claim 1 calls for:

Method for retrieving a file system of a recording medium, including the steps of:

- determining a signature of the recording medium by measuring features based on a data pattern stored on the recording medium, the signature including a plurality of elements;*
- comparing the signature with a plurality of signatures stored in a content database; and*
- retrieving the associated file system from the content database if the signature is equal to a signature stored in the content database.*

Neither Tripp nor Mourad teaches, shows, or suggests "retrieving the associated file system from the content database if the signature is equal to a signature stored in the content database." It has already been admitted in the present Office Action that Mourad was combined with Tripp because, "Tripp, however, does not explicitly disclose, 'the signature is equal to a signature stored in the content database.'" See page 3 of the present Office Action.

Contrary to the further assertion in the present Office Action that Tripp at col. 7, lines 42-52 meets the "retrieving" defined in claim 1, it is submitted that Tripp fails to teach, show, or even remotely suggest that a file system associated with the digital signature is retrieved. In his specification, Tripp appears to compare signatures to determine whether a signature has changed, in response to which Tripp apparently takes action. Tripp does not take any implicit or explicit action, let alone retrieval of information, when signatures are equal. Moreover, even if it were assumed that Tripp suggests retrieval of information, an assumption that Applicants neither agree with nor acquiesce to, it is apparent that Tripp lacks any teaching that such information would be retrieved from the same database that contains the plurality of signatures.

When Mourad is added to Tripp, Mourad fails to cure these deficiencies in the apparent teachings of Tripp. Mourad compares digital signatures of a transmitted document in order to determine whether the document has been altered during transmission. Mourad obtains his digital signatures for comparison, not from a database, but rather from the received document itself: one signature accompanies the document in transmission, whereas the other signature is computed from the received document. Mourad has no database containing a plurality of databases available for comparison. Additionally, Mourad lacks any mention of document or information retrieval upon a successful signature comparison. Even if it were assumed that Mourad

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suggests retrieval of information, an assumption that Applicants neither agree with nor acquiesce to, it is apparent that Mourad lacks any teaching that such information would be retrieved from the same database that contains the plurality of signatures – it is to be remembered that Mourad lacks a database that contains a plurality of signatures.

As presently understood, the combination of Tripp and Mourad would operate in a manner completely different from the method defined in claim 1. For at least all these reasons, it can only be concluded that the combination of Tripp and Mourad fails to teach, show, or suggest each and every element defined in the claims.

In light of the remarks above, it is believed that the elements of independent claims 1 and 8 and the claims dependent thereon, claims 2-7 and 9, respectively, would not have been obvious to a person of ordinary skill in the art upon a reading of Tripp and Mourad, separately or in combination. Thus, it is submitted that claims 1-9 are allowable under 35 U.S.C. §103.

Withdrawal of this rejection is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

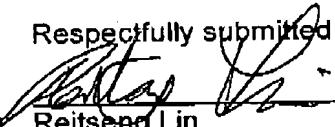
If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

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In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 07-0832.

Respectfully submitted,

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